



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,046	04/26/2001	William Eric Hamilton	7896.14	2695

25314 7590 11/02/2005

GUNSTER, YOAKLEY & STEWART, PA
BROWARD FINANCIAL CENTRE, SUITE 1400
500 EAST BROWARD BLVD
FT LAUDERDALE, FL 33394

EXAMINER

YANG, RYAN R

ART UNIT	PAPER NUMBER
----------	--------------

2672

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,046

Applicant(s)

HAMILTON ET AL.

Examiner

Ryan R. Yang

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-9 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-9 and 21-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 10.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 10/8/2004.

This action is non-final.

2. Claims 2-9 and 21-28 are pending in the case, with claims 21 and 23 being independent.

3. The present title of the application is "Method for prolonging CRT screen life by reduced phosphor burning" (as originally filed).

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 8 and 21-27 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,610,665 to Berman.

6. Regarding independent claim 21, Yamazaki et al., hereinafter Yamazaki, discloses a method of displaying video comprising the steps of:

(a) providing a video image (Figure 2, CCD 1 provides a video image);

(b) overlaying textual information on top of the video image in a manner to minimize interruption to the video image (Figure 2, item 5,6, and 7 are superposition circuits overlay title image from Titler 12); and

(c) moving the overlaid textual information periodically without moving the underlying video image in a manner to minimize interruption to the underlying video image ("By shifting the addresses periodically, such as by a predetermined amount

Art Unit: 2672

every m fields or frames, the displayed graphic title image information appears to scroll horizontally or vertically across the video picture", column 3, line 56-61).

7. Regarding independent claim 23, Yamazaki discloses a method of displaying video comprising the steps of:

(a) providing a video image from a camera (Figure 2, CCD 1 provides a video image);

(b) overlaying textual information on top of the live video image (Figure 2, item 5,6, and 7 are superposition circuits overlay title image from Titler 12); and

(c) moving the overlaid textual information periodically without moving the live video image ("By shifting the addresses periodically, such as by a predetermined amount every m fields or frames, the displayed graphic title image information appears to scroll horizontally or vertically across the video picture", column 3, line 56-61).

8. Regarding dependent claim 22, Yamazaki demonstrated all the elements as disclosed in the rejected claim 21, and further discloses said moving step comprises periodically moving the overlaid textual information by a predefined amount ("if the presetting of the horizontal address counter changes relative to the horizontal absolute position count, or if the count to which the horizontal address counter is preset is changed, the period during which the horizontal address counter lies within the effective horizontal image range also varies", column 9, line 53-58).

9. Regarding dependent claim 24, Yamazaki demonstrated all the elements as disclosed in the rejected claim 23, and further discloses overlaying texture information on top of the underlying live video image in a manner to minimize interruption to the

Art Unit: 2672

underlying live video image ("original graphics data disposed at the bottom or top of the image plane when written into the memory will occupy the bottom or top of the same image when read", column 2, line 1-4; by placing the title image at the bottom or top portion, it minimizes the interruption).

10. Regarding dependent claims 25 and 26, Yamazaki demonstrated all the elements as disclosed in the rejected claims 23 and 24, *supra*, respectively, and further discloses periodically moving the overlaid texture information without moving the underlying live video image in a manner to minimize interruption to the underlying live video image ("if the presetting of the horizontal address counter changes relative to the horizontal absolute position count, or if the count to which the horizontal address counter is preset is changed, the period during which the horizontal address counter lies within the effective horizontal image range also varies", column 9, line 53-58, since the preset amount can be changed, it can be preset to a minimum amount to minimize interruption to the underlying video image).

11. Regarding dependent claims 8 and 27, Yamazaki demonstrated all the elements as disclosed in the rejected claims 21 and 26, *supra*, respectively, and further discloses the video image has a top and bottom and the textual information is overlaid near the bottom of the video image ("original graphics data disposed at the bottom or top of the image plane when written into the memory will occupy the bottom or top of the same image when read", column 2, line 1-4; as for the video image, since it occupied the whole screen are, it has a top and a bottom portion).

Claim Rejections - 35 USC § 103

12. Claims 2-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,610,665 to Berman as applied to independent claim 21 above.

13. As per Claims 2-5, Yamazaki demonstrated all the elements as disclosed in the rejected claim 22.

As for providing for display by moving the overlaid texture information, since Yamazaki discloses the amount of shift can be preset by the user, it would have been obvious to one of ordinary skill in the art that a user can set it from the minimum amount to the maximum amount, including one pixel, a random amount or a character length, in order to create a scrolling effect.

14. Regarding dependent claim 6, Yamazaki demonstrated all the elements as disclosed in the rejected claim 21.

As for "the textual information is moved at least once per hour", Yamazaki discloses "the shift register is shifted at a rate determined by (or synchronized with) the clock signals supplied to clock input terminal 63", column 11, line 38-40. It would have been obvious to one of ordinary skill in the art to be able to shift the title image at a desired rate, either once per hour or once per day, in order to produce a scrolling effect of the title image.

15. Claim 7 is similar in scope with claim 6 and therefore is rejected under the same rational.

Art Unit: 2672

16. Claims 9 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al. as applied to claim 21 above, and further in view of Birks et al. (6,373,530).

As per Claims 9 and 28, Yamazaki demonstrated all the elements as disclosed in the rejected claims 21 and 26, supra, respectively.

Yamazaki discloses a method of displaying video image. It is noted that Yamazaki does not explicitly disclose the texture information is overlaid near one of the two bottom corners of the CRT screen, however, this is known in the art as taught by Birks et al., hereinafter Birks. Birks discloses a method of inserting logo in which the logo is placed at the bottom right corner of the display (column 3, line 15-16).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Birks into Yamazaki because Yamazaki discloses a method of displaying image and Birks further discloses the logo image can be placed at the bottom corner of the screen in order to avoid obstruct the viewing of the main image.

Response to Arguments

17. Applicant's arguments with respect to claims 21, 23 and all of the claims that depend therefrom have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

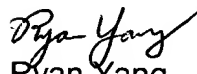
18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Inquiries

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan R Yang whose telephone number is (571) 272-7666. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ryan Yang
Primary Examiner
October 28, 2005